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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,253	10/03/2000	Hideo Honma	35.C14856	4780

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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,253

Applicant(s)

HONMA, HIDEO

Examiner

Yogesh K Aggarwal

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (US Patent # 5,973,734).

[Claim 1]

An output control method for controlling output of image data imaged by image input means, comprising:

A display control step of displaying said image data on display means (col. 4 lines 55-57),

wherein the display control step compares aspect ratios of a thumbnail image and a main image in said image data, and performs control so that said thumbnail image is used as display data to be displayed on said display means in a case that the aspect ratios are the same, and that said main image [The decompressed, resized, and cropped image is being read as a main image] is used as said display data in a case that the aspect ratios are different (col. 13 lines 1-17 figure 12). [In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

Art Unit: 2615

[In view of the amended claim 1, Anderson discloses in col. 13 lines 34-43 that although the method and system have been described in terms of the image being displayed on the LCD screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the methods. In view of the suggestive teachings of Anderson it would have been obvious to one skilled in the art at the time of the invention that there can be an output control method for controlling output of image data imaged by image input means like a digital camera as claimed].

[Claim 2]

The output control method according to claim 1, wherein said image input means utilizes a digital camera [In view of the amended claim 2, Anderson discloses in col. 13 lines 34-43 that although the method and system have been described in terms of the image being displayed on the LCD screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the methods with the image input means utilizing a digital camera 110].

[Claim 3]

The output control method according to claim 1, wherein said display means is a Cathode Ray Tube display (col. 3 lines 52-57)[A host system can be a computer in which the display can be a CRT].

[Claim 4]

The output control method according to claim 1, wherein said display means is a Liquid Crystal Display (col. 1 lines 14-16).

[Claim 5]

Art Unit: 2615

The output control method according to claim, wherein said display means is a television receiver (col. 3 lines 52-57)[A host system can be a TV Receiver display].

Regarding amended claims 6-10 these are apparatus claims corresponding to method claims 1-5 respectively. Therefore, claims 6-10 are analyzed and rejected as previously discussed with respect to claim 1-5.

[Claim 11]

An output control method for controlling output of image data imaged by image input means, comprising:

a display control step of displaying said image data on display means (col. 4 lines 55-57), wherein the display control step compares aspect ratios of a thumbnail image and a main image in said image data, and performs control so that said thumbnail image is used as display data to be displayed on said display means in a case that the aspect ratios are the same, and that said thumbnail image is cut off to have the aspect ratio of the main image and used as the display data in a case that the aspect ratios are different (col. 13 lines 1-17 figure 12).[In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

[In view of the amended claim 11, Anderson discloses in col. 13 lines 34-43 that although the method and system have been described in terms of the image being displayed on the LCD

Art Unit: 2615

screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the methods. In view of the suggestive teachings of Anderson it would have been obvious to one skilled in the art at the time of the invention that there can be an output control method for controlling output of image data imaged by image input means like a digital camera as claimed].

[Claim 12]

The output control method according to claim 11, wherein centers of said thumbnail image and said main image are matched when said thumbnail image is cut off to have the aspect ratio of said main image (col. 12 lines 1-13)[Anderson discloses that when the aspect ratio of a thumbnail image and LCD screen (same as a main image) are different the thumbnail image is cropped to provide a standard square image so that the central portions of both the main image used to provide the small thumbnails are same or matched in order to have the same aspect ratio].

[Claim 13]

The output control method according to claim 11, wherein said display control step obtains information on types of said image input means (col. 11 lines 43-45)[The information related to the image is shown automatically on the LCD screen].

[In view of the amended claim 13, Anderson discloses in col. 13 lines 34-43 that although the method and system have been described in terms of the image being displayed on the LCD screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the methods. In view of the suggestive teachings of Anderson it would have been obvious to one

Art Unit: 2615

skilled in the art at the time of the invention that there can be an output control method for controlling output of image data imaged by image input means like a digital camera as claimed]. and determines a position where said thumbnail image is cut off when said thumbnail image is cut off to have the aspect ratio of said main image (col. 12 lines 1-13)[Anderson discloses that in a preferred embodiment, the left and right edge of a landscape image and the top and bottom of a portrait image are cropped which is the same as determining a position where said thumbnail image will be cut off to have the aspect ratio as the main image].

[Claim 14]

Grounds for rejecting amended claim 2 apply for claim 14 entirely.

[Claim 15]

Grounds for rejecting claim 3 apply for claim 15 entirely.

[Claim 16]

Grounds for rejecting claim 4 apply for claim 16 entirely.

[Claim 17]

Grounds for rejecting claim 5 apply for claim 17 entirely.

Regarding amended claims 18-24 these are apparatus claims corresponding to amended method claims 11-17 respectively. Therefore, amended claims 18-24 are analyzed and rejected as previously discussed with respect to amended claims 11-17.

[Claim 25]

An output control method for controlling output of image data imaged by image input means, comprising:

Art Unit: 2615

An image data reading step of reading in the image data and the a display control step of displaying on display means the image data read in said image data reading step; a display data forming step of forming display data to be displayed on said display means according to an instruction of said display control step; and a display data outputting step of outputting display data formed in said display data forming step on the display means (col. 4 lines 53-57 figure 4) [DRAM 346 is a contiguous block of dynamic memory which may be selectively allocated to various storage functions. LCD controller 390 accesses DRAM 346 and transfers processed image data to LCD screen 402 for display].

wherein said display control step compares aspect ratios of a thumbnail image and a main image in image data read in said image data reading step, and performs control so that the thumbnail image is used as display data to be displayed on the display means in a case that the aspect ratios are the same, and that the main image is used as the display data in a case that the aspect ratios are different (col. 13 lines 1-17 figure 12). [In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

[In view of the amended claim 25, Anderson discloses in col. 13 lines 34-43 that although the method and system have been described in terms of the image being displayed on the LCD screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the

Art Unit: 2615

methods. In view of the suggestive teachings of Anderson it would have been obvious to one skilled in the art at the time of the invention that there can be an output control method for controlling output of image data imaged by image input means like a digital camera as claimed].

[Claim 26]

Grounds for rejecting amended claim 2 apply for amended claim 26 entirely.

[Claim 27]

Grounds for rejecting claim 3 apply for claim 27 entirely.

[Claim 28]

Grounds for rejecting claim 4 apply for claim 28 entirely.

[Claim 29]

Grounds for rejecting claim 5 apply for claim 29 entirely.

[Claim 30]

An output control apparatus for controlling output of image data imaged by image input means, comprising:

image data reading means for reading in the image data; display control means for displaying on display means the image data read in by said image data reading means; display data forming means for forming display data to be displayed on said display means according to an instruction of said display control means; and display data outputting means for outputting display data formed by said display data forming means on said display means, (col. 4 lines 53-57 figure 4) [DRAM 346 is a contiguous block of dynamic memory which may be selectively allocated to various storage functions. LCD controller 390 accesses DRAM 346 and transfers processed image data to LCD screen 402 for display].

Art Unit: 2615

wherein said display control means compares aspect ratios of a thumbnail image and a main image in the image data read in by said image data reading means, and performs control so that the thumbnail image is used as display data to be displayed on said display means in a case that the aspect ratios are the same, and that the thumbnail image is cut off to have the aspect ratio of the main image and used as the display data when the aspect ratios are different (col. 13 lines 1-17 figure 12). [In figure 12 the first step is to compare the aspect ratios of an image with the aspect ratio of a LCD screen which displays the scrennail type image which is same as a thumbnail image but fills the visible area of the LCD display and if the aspect ratios are same the low-resolution scrennail image is displayed in step 920 but if the aspect ratios are different the crop is determined in step 916 and the scrennail size image is decompressed and resized into the main image and then displayed on the whole screen].

[In view of the amended claim 25, Anderson discloses in col. 13 lines 34-43 that although the method and system have been described in terms of the image being displayed on the LCD screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the methods. In view of the suggestive teachings of Anderson it would have been obvious to one skilled in the art at the time of the invention that there can be an output control method for controlling output of image data imaged by image input means like a digital camera as claimed].

[Claim 31]

Grounds for rejecting claim 19 apply for claim 31 entirely. Claim 19 is an apparatus claim corresponding to the method claim 12 and was analyzed and rejected based on the method claim 12.

Art Unit: 2615

[Claim 32]

Grounds for rejecting amended claim 20 apply for amended claim 32 entirely. Claim 20 is an apparatus claim corresponding to the method claim 12 and was analyzed and rejected based on the method claim 13.

Regarding amended claims 33-36 these are apparatus claims corresponding to amended method claims 26-29 respectively. Therefore, claims 33-36 are analyzed and rejected as previously discussed with respect to claim 26-29.

[Claim 37]

Amended Claim 37 is same as amended claim 6 except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

[Claim 38]

Amended Claim 38 is same as amended claim 18 except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

[Claim 39]

Art Unit: 2615

Amended Claim 39 is an apparatus claim, same as amended claim 25 (which is a method claim) except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

[Claim 40]

Amended Claim 40 is same as amended claim 30 except a storage medium which is used for storing a control program for controlling an output control apparatus that controls output of image data imaged by image pick up means, which can be read by reading means. Anderson discloses a non-volatile memory 350, which may typically comprise a conventional read-only memory or flash memory, stores a set of computer-readable program instructions to control the operation of camera 110 in col. 4 lines 66-67 and col. 5 lines 1-2 figure 4.

Response to Arguments

2. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection. Furthermore, the applicant contends on Page # 16 that the Anderson '734 patent relates to a method and apparatus for correcting aspect ratios in a camera GUI and fails to disclose the feature in which the aspect ratio of a main image in the image data (e.g., in image data imaged by image input means), as disclosed and claimed in the present application. The Examiner respectfully disagrees. As explained above w.r.t to claim #1, Anderson discloses in col. 13 lines 34-43 that although the method and system have been

Art Unit: 2615

described in terms of the image being displayed on the LCD screen 402 of the digital camera 110, it is fully applicable to display of images on a host system like a printer controller, a PC or any other device with minor modifications made to some of the methods. In view of the suggestive teachings of Anderson it would have been obvious to one skilled in the art at the time of the invention that there can be an output control method for controlling output of image data like a PC or a printer controller imaged by image input means like a digital camera as claimed.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 305-0346. The examiner can normally be reached on M-F 9:00AM-5: 30PM.

Art Unit: 2615

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary examiner, Vu Le can be reached (703) 308-6613. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

YKA
March 25, 2004


VU LE
PRIMARY EXAMINER